

**REMARKS**

Claims 1-2, 4-12, and 14 are pending in this application after this Amendment; claims 1, 6, and 11 being independent. Claims 3 and 13 have been cancelled without prejudice or disclaimer. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-3, 5-8, and 10-13 under 35 U.S.C. § 102(e) as being anticipated by *You et al.* (USP 5,946,046); and rejected claims 4, 9, and 14 under 35 U.S.C. § 103(a) as being unpatentable over *You et al.* in view of *Yamamoto et al.* (USP 5,774,105). Applicant respectfully traverses these rejections.

**Claim Rejections - 35 U.S.C. § 102**

By this Amendment, Applicant has amended claims 1 and 11 to more appropriately recite the present invention. It is respectfully submitted that these amendments are made without conceding the propriety of the Examiner's rejection, but merely to timely advance the prosecution of the present application. Specifically, claims 1 and 11 have been amended to recite "wherein said second information is advertisement information."

It is respectfully submitted that in order to find anticipation of a claimed invention under 35 U.S.C. § 102, the

Examiner must provide a reference that teaches or suggests all of the claimed elements.

In support of the Examiner's rejection, the Examiner asserts that You et al. shows an information display device comprising an information controller 58 extracting first and second information. The Examiner further asserts that You et al. discloses the information being provided as advertisement information, asserting that the composite video signal as disclosed by You et al. represents advertisement information. Applicant respectfully disagrees with the Examiner's characterization of this reference.

It is respectfully submitted that the disclosure set forth in You et al. is directed to a caption processing device and method for a display unit with a separate display. You et al. seeks to solve the problem of having a conventional On Screen Display with the caption signal overlaying the video signal. To solve this problem, You et al. discloses a caption VCR which reproduces a composite video signal recorded on a video tape. The caption VCR extracts caption data from the reproduced composite video signal through caption data processor 51 and displays the composite video signal and the caption data either on separate displays or in such a manner that the caption data does not overlay the video signal.

In contrast, the present invention as set forth in claim 1 as amended recites, *inter alia*, an information display device comprising an information controller extracting the first and

second information from the information received wherein the second information is advertisement information. It is respectfully submitted that nowhere does You et al. teach or suggest extracting advertisement information from the information received. As noted above, You et al. discloses extracting caption data from the reproduced composite video signal through the caption data processor. As You et al. fails to teach or suggest extracting advertisement information from the information received, it is respectfully submitted that You et al. fails to anticipate the claimed invention as set forth in amended claim 1. As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2 and 4-5 are allowable for at least the reasons set forth above with regard to claim 1 based upon their dependency on claim 1.

It is further respectfully submitted that claim 11 contains elements similar to those discussed above with regard to claim 1, and, thus, claim 11 is allowable for at least the reasons set forth above with regard to claim 1. Finally, it is respectfully submitted that claims 12 and 14 are allowable for the reasons set forth above with regard to claim 11 at least based upon their dependency on claim 11.

With regard to the Examiner's rejection of claim 6, the Examiner asserts that You et al. discloses all of the features as recited in claim 6. However, the Examiner fails to provide any

support for his assertion that *You et al.* discloses a plurality of second-information display units successively displaying a second information stored. Should the Examiner maintain his rejection of claim 6, it is respectfully requested that the Examiner provide the Applicant with a complete explanation, including a *prima facie* case of anticipation, as to how the *You et al.* reference teaches the invention as claimed in claim 6 in a non-final Office Action.

Further, it is respectfully submitted that in order to establish a *prima facie* case of anticipation under 35 U.S.C. § 102, the Examiner must provide a reference that teaches or suggests all of the claimed elements. While the Examiner notes that claim 6 provides for an information display device comprising a plurality of second-information display units successively displaying said second information stored, the Examiner fails to provide any citation within the *You et al.* reference that teaches or suggests this claimed element.

As noted above, *You et al.* discloses a caption processing device and a method for a display unit with a separate display. However, nowhere in the *You et al.* reference does *You et al.* teach or suggest a plurality of second information display units successively displaying said second information stored. Based upon the Examiner's failure to provide a reference that teaches or suggests this claimed element, the Examiner has failed to establish

a *prima facie* case of anticipation under 35 U.S.C. § 102. Thus, it is respectfully requested that this rejection be withdrawn.

It is respectfully submitted that claims 7-10 are allowable over the You et al. reference based upon the reasons set forth above with regard to claim 6 at least based upon their dependency on claim 6.

#### **Additional Remarks**

On February 20, 2001, Applicant filed an Information Disclosure Statement concurrently with the filing of the present application. Applicant additionally requested consideration of this Information Disclosure Statement in the Reply filed January 3, 2003. To date, Applicant has not received a signed copy of Form PTO-1449. Applicant respectfully requests consideration of the documents contained in the Information Disclosure Statement.

#### **Conclusion**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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